

**ONE HUNDRED AND SECOND LEGISLATIVE DAY
THURSDAY, APRIL 17, 2003**

/s/ BEN YSURSA
Secretary of State

House of Representatives

The House convened at 10 a.m., Mr. Denney in the Chair.

Roll call showed 69 members present.
Absent and excused -- Naccarato. Total -- 1.
Total -- 70.

Prayer was offered by Chaplain Jim Hardenbrook.

The Pledge of Allegiance was led by Jonathan Sater, Page.

Approval of Journal

April 17, 2003

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the One Hundred and First Legislative Day and recommend that same be adopted as corrected.

FIELD(18), Chairman

Mrs. Field(18) moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

**Consideration of Messages from the
Governor and the Senate**

THE OFFICE OF THE GOVERNOR
EXECUTIVE DEPARTMENT
BOISE, IDAHO

CERTIFICATE OF APPOINTMENT

KNOW ALL MEN, by these Presents that Leon E. Smith, State Representative, District 24, House Seat A, State of Idaho, pursuant to the provisions of Section 59-917, Idaho Code, has nominated Allan R. Frost, of Twin Falls, Idaho, to perform the duties of this office temporarily as Acting State Representative.

NOW, THEREFORE, I, DIRK A. KEMPTHORNE, Governor of the State of Idaho, by virtue of the authority vested in me by Section 59-917, Idaho Code, do hereby appoint Allan R. Frost, Acting State Representative, District 24, House Seat A, State of Idaho, for a term commencing on April 17, 2003, and continuing until the incumbent shall resume the performance of the duties or a vacancy occurs in such office.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Idaho.

Done at Boise, the Capital of Idaho, this 14th day of April in the year of our Lord two thousand and three, and of the Independence of the United States of America, the two hundred and twenty-seventh year.

/s/ DIRK A. KEMPTHORNE
Governor

The Certificate of Appointment was ordered filed in the Office of the Chief Clerk.

The Speaker announced the oath of office had previously been administered to Mr. Frost.

April 16, 2003

Mr. Speaker:

I transmit herewith enrolled **S 1175** and **S 1178** for the signature of the Speaker.

WOOD, Secretary

The Speaker Pro Tem announced that enrolled **S 1175** and **S 1178** would be signed by the Speaker, and when so signed, ordered them returned to the Senate.

April 16, 2003

Mr. Speaker:

I return herewith enrolled **H 391**, **H 392**, **H 386**, as amended, and **H 395** which have been signed by the President.

WOOD, Secretary

Enrolled **H 391**, **H 392**, **H 386**, as amended, and **H 395** were referred to the Judiciary, Rules, and Administration Committee for delivery to the Governor.

April 15, 2003

Mr. Speaker:

I return herewith **HCR 22** which has passed the Senate.

WOOD, Secretary

HCR 22 was referred to the Judiciary, Rules, and Administration Committee for enrolling.

H 400, as amended in the Senate, held at the Desk April 16, 2003, was before the House for concurrence.

Mr. Speaker asked unanimous consent that the House concur in the Senate amendments to **H 400**, as amended in the Senate. Mr. Lake objected.

Mr. Speaker moved that the House concur in the Senate amendments to **H 400**, as amended in the Senate. Seconded by Mr. Meyer.

The question being "Shall the motion pass?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Bauer, Bell, Black, Bolz, Bradford(Larsen), Campbell, Cannon, Collins, Cuddy, Deal, Douglas, Field(18), Field(23), Gagner, Garrett, Henbest, Jaquet, Jones, Kellogg, Meyer, Miller, Mitchell, Raybould, Ridinger, Ring(Roberge), Ringo, Robison, Rydalch, Saylor, Shepherd, Shirley, Skippen, Smith(30), Smith(24)(Frost), Smylie, Snodgrass, Stevenson, Tilman, Trail(Young), Wills, Mr. Speaker. Total -- 43.

NAYS -- Barrett, Bedke, Bieter, Block, Boe, Clark, Crow, Denney, Eberle, Edmunson, Ellsworth, Eskridge, Harwood, Kulczyk, Lake, Langford, Langhorst, Martinez, McGeachin, McKague, Moyle, Nielsen, Roberts, Sali, Schaefer, Wood. Total -- 26.

Absent and excused -- Naccarato. Total -- 1.

Total -- 70.

Whereupon the Speaker Pro Tem declared the motion passed and the House concurred in the Senate amendments to **H 400**, as amended in the Senate.

H 400, as amended in the Senate, was referred to the Judiciary, Rules, and Administration Committee for engrossing.

Report of Standing Committees

April 17, 2003

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION report that we have printed **HCR 31**, **HJM 12**, and **H 422**.

FIELD(18), Chairman

HCR 31, **HJM 12**, and **H 422** were filed for second reading.

April 17, 2003

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have enrolled **H 394**.

FIELD(18), Chairman

The Speaker Pro Tem announced that enrolled **H 394** would be signed by the Speaker, and when so signed, ordered it transmitted to the Senate for the signature of the President.

April 17, 2003

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled **H 365**, **H 376**, and **H 294** to the Governor at 11:20 a.m., as of this date, April 16, 2003.

FIELD(18), Chairman

April 16, 2003

Mr. Speaker:

We, your COMMITTEE ON BUSINESS, report that we have had under consideration **S 1176** and recommend it be referred to the Commerce and Human Resources Committee.

DEAL, Chairman

S 1176 was referred to the Commerce and Human Resources Committee.

There being no objection, the House returned to the Fourth Order of Business.

Consideration of Messages from the Governor and the Senate

OFFICE OF THE GOVERNOR
Boise

April 16, 2003

The Honorable Bruce Newcomb
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following House Bill, to wit:

H 294

Very truly yours,
/s/ DIRK A. KEMPTHORNE
Governor

There being no objection, the House advanced to the Eighth Order of Business.

Introduction, First Reading, and Reference of Bills and Joint Resolutions

HOUSE BILL NO. 423 BY REVENUE AND TAXATION COMMITTEE AN ACT

RELATING TO SALES TAX ON LIQUOR; AMENDING SECTION 63-3638A, IDAHO CODE, TO PROVIDE THAT THE SALES TAX COLLECTED ON THE RETAIL SALE OF LIQUOR SHALL BE CREDITED DIRECTLY TO THE GENERAL ACCOUNT.

H 423 was introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

There being no objection, the House advanced to the Tenth Order of Business.

Second Reading of Bills and Joint Resolutions

H 418, **H 419**, and **H 420**, by Appropriations Committee, were read the second time by title and filed for third reading.

S 1148, as amended, by State Affairs Committee, was read the second time by title and filed for third reading.

Third Reading of Bills and Joint Resolutions

Mr. Moyle asked unanimous consent that **H 409** be placed at the top of the Third Reading Calendar. There being no objection, it was so ordered.

H 409 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Mitchell to

open debate.

The question being, "Shall **H 409** pass?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Bauer, Bedke, Bell, Bieter, Black, Block, Boe, Bolz, Bradford(Larsen), Campbell, Cannon, Collins, Cuddy, Deal, Denney, Douglas, Edmunson, Ellsworth, Eskridge, Field(23), Gagner, Garrett, Harwood, Henbest, Jaquet, Jones, Langhorst, Martinez, McGeachin, Meyer, Miller, Mitchell, Moyle, Nielsen, Raybould, Ridinger, Ring(Roberge), Ringo, Roberts, Robison, Rydalch, Sali, Sayler, Shepherd, Shirley, Skippen, Smith(30), Smith(24)(Frost), Smylie, Stevenson, Tilman, Trail(Young), Wills, Mr. Speaker. Total -- 56.

NAYS -- Barrett, Clark, Crow, Eberle, Kellogg, Kulczyk, Lake, Langford, McKague, Schaefer, Wood. Total -- 11.

Absent and excused -- Field(18), Naccarato, Snodgrass. Total -- 3.

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 409** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

Mr. Moyle asked unanimous consent that **H 410** be placed at the top of the Third Reading Calendar. There being no objection, it was so ordered.

H 410 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Harwood to open debate.

The question being, "Shall **H 410** pass?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Bauer, Bedke, Bell, Bieter, Black, Block, Boe, Bolz, Bradford(Larsen), Campbell, Cannon, Clark, Collins, Cuddy, Deal, Denney, Douglas, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Harwood, Henbest, Jaquet, Jones, Kellogg, Langhorst, Martinez, McGeachin, McKague, Meyer, Miller, Mitchell, Moyle, Nielsen, Raybould, Ridinger, Ring(Roberge), Ringo, Roberts, Robison, Rydalch, Sayler, Schaefer, Shepherd, Shirley, Skippen, Smith(30), Smith(24)(Frost), Smylie, Snodgrass, Stevenson, Tilman, Trail(Young), Wills, Mr. Speaker. Total -- 62.

NAYS -- Barrett, Crow, Kulczyk, Lake, Langford, Sali, Wood. Total -- 7.

Absent and excused -- Naccarato. Total -- 1.

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 410** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

Mr. Moyle asked unanimous consent that **H 411** be placed at

the top of the Third Reading Calendar. There being no objection, it was so ordered.

H 411 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mrs. Field(23) to open debate.

The question being, "Shall **H 411** pass?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Bauer, Bedke, Bell, Bieter, Black, Block, Boe, Bolz, Bradford(Larsen), Campbell, Cannon, Clark, Collins, Cuddy, Deal, Denney, Douglas, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Harwood, Henbest, Jaquet, Jones, Kellogg, Langhorst, Martinez, McGeachin, Meyer, Miller, Mitchell, Moyle, Nielsen, Raybould, Ridinger, Ring(Roberge), Ringo, Roberts, Robison, Rydalch, Sali, Sayler, Shepherd, Shirley, Skippen, Smith(30), Smith(24)(Frost), Smylie, Snodgrass, Stevenson, Tilman, Trail(Young), Wills, Wood, Mr. Speaker. Total -- 62.

NAYS -- Barrett, Crow, Kulczyk, Lake, Langford, McKague, Schaefer. Total -- 7.

Absent and excused -- Naccarato. Total -- 1.

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 411** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

Mr. Moyle asked unanimous consent that **H 412** be placed at the top of the Third Reading Calendar. There being no objection, it was so ordered.

H 412 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mrs. Field(23) to open debate.

The question being, "Shall **H 412** pass?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Bauer, Bedke, Bell, Bieter, Black, Block, Boe, Bolz, Bradford(Larsen), Campbell, Cannon, Collins, Cuddy, Deal, Denney, Douglas, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Harwood, Jaquet, Jones, Kellogg, Langhorst, Martinez, McGeachin, Meyer, Miller, Mitchell, Moyle, Raybould, Ridinger, Ring(Roberge), Ringo, Robison, Rydalch, Sayler, Schaefer, Shepherd, Shirley, Skippen, Smith(30), Smith(24)(Frost), Smylie, Snodgrass, Stevenson, Tilman, Trail(Young), Wills. Total -- 54.

NAYS -- Barrett, Clark, Crow, Eberle, Henbest, Kulczyk, Lake, Langford, McKague, Nielsen, Roberts, Sali, Wood. Total -- 13.

Absent and excused -- Edmunson, Naccarato, Mr. Speaker. Total -- 3.

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 412** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

Mr. Moyle asked unanimous consent that **H 320**, as amended, be placed at the top of the Third Reading Calendar. There being no objection, it was so ordered.

H 320, as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Snodgrass and Ms. Jaquet to open debate.

The question being, "Shall **H 320**, as amended, pass?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Barrett, Bauer, Bedke, Bell, Bieter, Black, Block, Boe, Bolz, Bradford(Larsen), Campbell, Cannon, Clark, Collins, Crow, Cuddy, Deal, Denney, Douglas, Eberle, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Harwood, Henbest, Jaquet, Jones, Kellogg, Lake, Langford, Langhorst, Martinez, McGeachin, McKague, Meyer, Miller, Mitchell, Moyle, Nielsen, Raybould, Ridinger, Ring(Roberge), Roberts, Robison, Rydalch, Sali, Sayler, Schaefer, Shepherd, Shirley, Skippen, Smith(30), Smith(24)(Frost), Smylie, Snodgrass, Stevenson, Tilman, Trail(Young), Wood. Total -- 64.

NAYS -- Ringo, Wills. Total -- 2.

Absent and excused -- Edmunson, Kulczyk, Naccarato, Mr. Speaker. Total -- 4.

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 320**, as amended, passed the House. Title was approved and the bill was ordered transmitted to the Senate.

Mr. Moyle asked unanimous consent that **H 413** be placed at the top of the Third Reading Calendar. There being no objection, it was so ordered.

H 413 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mrs. Bell to open debate.

The question being, "Shall **H 413** pass?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Barrett, Bauer, Bedke, Bell, Bieter, Black, Block, Boe, Bolz, Bradford(Larsen), Campbell, Cannon, Clark, Collins, Crow, Cuddy, Deal, Denney, Douglas, Eberle, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Harwood, Henbest, Jaquet, Jones, Kellogg, Kulczyk, Lake, Langford, Langhorst, Martinez, McGeachin, McKague, Meyer, Miller, Mitchell, Moyle, Nielsen, Raybould, Ridinger, Ring(Roberge), Ringo, Roberts, Robison, Rydalch,

Sali, Sayler, Schaefer, Shepherd, Shirley, Skippen, Smith(30), Smith(24)(Frost), Smylie, Snodgrass, Stevenson, Trail(Young), Wills, Wood. Total -- 66.

NAYS -- None.

Absent and excused -- Edmunson, Naccarato, Tilman, Mr. Speaker. Total -- 4.

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 413** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

Mr. Moyle asked unanimous consent that **H 414** be placed at the top of the Third Reading Calendar. There being no objection, it was so ordered.

H 414 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Bolz to open debate.

The question being, "Shall **H 414** pass?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Bauer, Bedke, Bell, Bieter, Black, Block, Boe, Bolz, Bradford(Larsen), Campbell, Cannon, Clark, Collins, Crow, Cuddy, Deal, Denney, Douglas, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Harwood, Henbest, Jaquet, Jones, Kellogg, Kulczyk, Lake, Langford, Langhorst, Martinez, McGeachin, McKague, Meyer, Miller, Mitchell, Moyle, Nielsen, Raybould, Ridinger, Ring(Roberge), Ringo, Roberts, Robison, Rydalch, Sali, Sayler, Schaefer, Shepherd, Shirley, Skippen, Smith(30), Smith(24)(Frost), Smylie, Snodgrass, Stevenson, Tilman, Trail(Young), Wills. Total -- 66.

NAYS -- Barrett, Wood. Total -- 2.

Absent and excused -- Naccarato, Mr. Speaker. Total -- 2.

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 414** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

Mr. Moyle asked unanimous consent that **S 1180** be placed at the top of the Third Reading Calendar. There being no objection, it was so ordered.

S 1180 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Meyer to open debate.

The question being, "Shall **S 1180** pass?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Bauer, Bedke, Bell, Bieter, Black, Block, Boe, Bolz, Bradford(Larsen), Campbell, Cannon,

Clark, Collins, Crow, Cuddy, Deal, Denney, Douglas, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Harwood, Henbest, Jaquet, Jones, Kellogg, Lake, Langford, Langhorst, Martinez, McGeachin, McKague, Meyer, Miller, Mitchell, Moyle, Nielsen, Raybould, Ridinger, Ring(Roberge), Ringo, Roberts, Robison, Rydalch, Sayler, Schaefer, Shepherd, Shirley, Skippen, Smith(30), Smith(24)(Frost), Smylie, Snodgrass, Stevenson, Tilman, Trail(Young), Wills. Total -- 63.

NAYS -- Barrett, Kulczyk, Sali, Wood. Total -- 4.

Absent and excused -- Gagner, Naccarato, Mr. Speaker. Total -- 3.

Total -- 70.

Whereupon the Speaker Pro Tem declared **S 1180** passed the House. Title was approved and the bill was ordered returned to the Senate.

Mr. Moyle moved that the House recess until 1 p.m. Seconded by Mr. Tilman. Motion carried.

Whereupon the Speaker Pro Tem declared the House at recess until 1 p.m.

RECESS

Afternoon Session

The House reconvened at 1 p.m., Mr. Denney in the Chair.

Roll call showed 69 members present.

Absent and excused -- Naccarato. Total -- 1.

Total -- 70.

Prior to recess, the House was at the Eleventh Order of Business.

Third Reading of Bills and Joint Resolutions

There being no objection, the House returned to the Fifth Order of Business.

Report of Standing Committees

April 17, 2003

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have engrossed **H 400**, as amended in the Senate.

FIELD(18), Chairman

H 400, as amended in the Senate, was filed for first reading of engrossed bills.

There being no objection, the House advanced to the Ninth Order of Business.

First Reading of Engrossed Bills

H 400, as amended in the Senate, by Revenue and Taxation

Committee, was introduced, read the first time by title and filed for second reading.

There being no objection, the House returned to the Seventh Order of Business.

Motions, Memorials, and Resolutions

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of **H 400**, as amended in the Senate, be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **H 400**, as amended in the Senate, be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Bauer, Bedke, Bell, Black, Block, Bolz, Bradford(Larsen), Campbell, Cannon, Clark, Collins, Crow, Cuddy, Deal, Denney, Douglas, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Gagner, Garrett, Harwood, Henbest, Jaquet, Kellogg, Lake, Langford, Langhorst, Martinez, McGeachin, McKague, Meyer, Miller, Mitchell, Moyle, Nielsen, Raybould, Ridinger, Ring(Roberge), Ringo, Roberts, Robison, Rydalch, Sayler, Schaefer, Shepherd, Shirley, Skippen, Smith(30), Smith(24)(Frost), Smylie, Snodgrass, Stevenson, Tilman, Trail(Young), Wills, Mr. Speaker. Total -- 61.

NAYS -- Barrett, Bieter, Kulczyk, Sali. Total -- 4.

Absent and excused -- Boe, Field(23), Jones, Naccarato, Wood. Total -- 5.

Total -- 70.

Whereupon the Speaker Pro Tem declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **H 400**, as amended in the Senate, was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Speaker to open debate.

The question being, "Shall **H 400**, as amended in the Senate, pass?"

Roll call resulted as follows:

AYES -- Andersen, Black, Campbell, Cannon, Cuddy, Deal, Douglas, Edmunson, Field(18), Field(23), Gagner, Garrett, Henbest, Jaquet, Jones, Kellogg, Meyer, Miller, Mitchell, Raybould, Ridinger, Ring(Roberge), Ringo, Robison, Rydalch, Sayler, Shepherd, Shirley, Skippen, Smith(30), Smith(24)(Frost), Smylie, Snodgrass, Stevenson, Trail(Young), Wills, Mr. Speaker. Total -- 37.

NAYS -- Barraclough, Barrett, Bauer, Bedke, Bell, Bieter,

Block, Boe, Bolz, Bradford(Larsen), Clark, Collins, Crow, Denney, Eberle, Ellsworth, Eskridge, Harwood, Kulczyk, Lake, Langford, Langhorst, Martinez, McGeachin, McKague, Moyle, Nielsen, Roberts, Sali, Schaefer, Tilman, Wood. Total -- 32.

Absent and excused -- Naccarato. Total -- 1.

Paired Vote:

AYE -- Ringo. NAY -- Clark.

(Pair enumerated in roll call above.)

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 400**, as amended in the Senate, passed the House. Title was approved and the bill was referred to Judiciary, Rules, and Administration Committee for enrolling.

There being no objection, the House advanced to the Eleventh Order of Business.

Third Reading of Bills and Joint Resolutions

Mr. Moyle asked unanimous consent that **H 374**, as amended in the Senate, be placed at the top of the Third Reading Calendar. There being no objection, it was so ordered.

H 374, as amended in the Senate, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mrs. Miller to open debate.

At this time, the Speaker took the Chair.

The question being, "Shall **H 374**, as amended in the Senate, pass?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Barrett, Bauer, Bedke, Bell, Black, Bolz, Cuddy, Deal, Douglas, Edmunson, Eskridge, Field(18), Gagner, Garrett, Henbest, Jaquet, Jones, Kellogg, Langhorst, Martinez, Meyer, Miller, Mitchell, Nielsen, Ridinger, Ringo, Sayler, Shepherd, Skippen, Smith(30), Snodgrass, Stevenson, Tilman, Wills, Mr. Speaker. Total -- 37.

NAYS -- Bieter, Block, Boe, Bradford(Larsen), Cannon, Collins, Crow, Denney, Eberle, Ellsworth, Field(23), Harwood, Kulczyk, Lake, Langford, McGeachin, McKague, Moyle, Raybould, Ring(Roberge), Roberts, Robison, Rydalch, Sali, Schaefer, Shirley, Smith(24)(Frost), Smylie, Trail(Young), Wood. Total -- 30.

Absent and excused -- Campbell, Clark, Naccarato. Total -- 3.

Total -- 70.

Whereupon the Speaker declared **H 374**, as amended in the Senate, passed the House. Title was approved and the bill was referred to Judiciary, Rules, and Administration Committee for enrolling.

Mr. Moyle asked unanimous consent that **H 403**, as amended,

be placed at the top of the Third Reading Calendar. There being no objection, it was so ordered.

H 403, as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Denney to open debate.

The question being, "Shall **H 403**, as amended, pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bauer, Bedke, Bell, Black, Block, Bolz, Bradford(Larsen), Cannon, Collins, Crow, Deal, Denney, Eberle, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Harwood, Jones, Kellogg, Kulczyk, Lake, Langford, McGeachin, McKague, Meyer, Miller, Moyle, Nielsen, Raybould, Ring(Roberge), Roberts, Rydalch, Sali, Shirley, Skippen, Smith(24)(Frost), Stevenson, Tilman, Wills, Wood, Mr. Speaker. Total -- 46.

NAYS -- Andersen, Bieter, Boe, Cuddy, Douglas, Edmunson, Henbest, Jaquet, Langhorst, Martinez, Mitchell, Naccarato, Ridinger, Ringo, Robison, Sayler, Schaefer, Shepherd, Smith(30), Smylie, Snodgrass, Trail(Young). Total -- 22.

Absent and excused -- Campbell, Clark. Total -- 2.

Paired Vote:

AYE -- Field(18). NAY -- Naccarato.

(Pair enumerated in roll call above.)

Total -- 70.

Whereupon the Speaker declared **H 403**, as amended, passed the House. Title was approved and the bill was ordered transmitted to the Senate.

Mr. Moyle asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places for one Legislative Day. There being no objection, it was so ordered.

There being no objection, the House advanced to the Sixteenth Order of Business.

Adjournment

Mr. Denney moved that the House adjourn until 8 a.m., Friday, April 18, 2003. Seconded by Ms. Jaquet. Motion carried.

Whereupon the Speaker declared the House adjourned at 3:42 p.m.

BRUCE NEWCOMB, Speaker

ATTEST:

PAMM JUKER, Chief Clerk